

Town of Leeds

Planning Commission Meeting for April 6, 2016

1. Call to order:

Commissioner Nelson called to order the regular meeting of the Planning Commission at 7:02pm on April 6, 2016, at Leeds Town Hall, 218 N Main.

ROLL CALL:

	<u>Present</u>	<u>Absent</u>
COMMISSIONER: DANIELLE STIRLING	<u>x</u>	<u> </u>
COMMISSIONER: DARRYL LEWIS	<u>x</u>	<u> </u>
COMMISSIONER: DARRELL NELSON	<u>x</u>	<u> </u>
COMMISSIONER: JOHN POAST	<u>x</u>	<u> </u>
COMMISSIONER: DANNY SWENSON	<u>x</u>	<u> </u>

Election of Planning Commission Chairman and Pro-tem.

Commissioner Poast nominated Darrell Nelson for the Planning Commission Chairman. 2nd by Commissioner Stirling. All voted "Aye". Motion passed.

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
CHAIRMAN: DARRELL NELSON	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: DANIELLE STIRLING	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: JOHN POAST	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: DANNY SWENSON	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: DARRYL LEWIS	<u>x</u>	<u> </u>	<u> </u>	<u> </u>

Commissioner Stirling nominated Commissioner Poast as the Pro-tem. 2nd by Commissioner Swenson. All voted "Aye". Motion passed.

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
CHAIRMAN: DARRELL NELSON	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: DANIELLE STIRLING	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: JOHN POAST	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: DANNY SWENSON	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: DARRYL LEWIS	<u>x</u>	<u> </u>	<u> </u>	<u> </u>

2. Invocation by Commissioner Swenson.

3. Pledge of Allegiance by Commissioner Poast.

4. Declaration of Abstentions or Conflicts: None.

5. Approval of Agenda:

Commissioner Swenson moved to approve tonight's agenda. 2nd by Commissioner Poast. All voted "Aye". Motion Passed.

	Yea	Nay	Abstain	Absent
CHAIRMAN: DARRELL NELSON	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: DANIELLE STIRLING	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: JOHN POAST	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: DANNY SWENSON	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: DARRYL LEWIS	<u>x</u>	<u> </u>	<u> </u>	<u> </u>

Commissioner Poast made a motion to approve Meeting Minutes of March 2, 2016. 2nd by Commissioner Lewis. All voted. Motion passed.

	Yea	Nay	Abstain	Absent
CHAIRMAN: DARRELL NELSON	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: DANIELLE STIRLING	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: JOHN POAST	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: DANNY SWENSON	<u> </u>	<u> </u>	<u>x</u>	<u> </u>
COMMISSIONER: DARRYL LEWIS	<u>x</u>	<u> </u>	<u> </u>	<u> </u>

Commissioner Stirling made a motion to approve Special Meeting Minutes of March 4, 2016. 2nd by Commissioner Lewis. All voted "Aye". Motion passed.

	Yea	Nay	Abstain	Absent
CHAIRMAN: DARRELL NELSON	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: DANIELLE STIRLING	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: JOHN POAST	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: DANNY SWENSON	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: DARRYL LEWIS	<u>x</u>	<u> </u>	<u> </u>	<u> </u>

6. Announcements:

Chair Nelson, there will be a Planning Commission and Town Council members training from the Utah League of Cities and Towns (ULCT) by David Church on April 15th from 9:30am to 3:00pm at the old church in Virgin.

Chair Nelson, there is going to be a public awareness seminar on Tuesday, April 12th at 5:00pm at the Town Hall on how to protect water in your home. It is about cross connections and backflow devices.

7. Public Hearings:

- a. Proposed Ordinance 2016-01, Repeal of Land Use Ordinance 2011-03, Chapter 23, Mixed-Use Zoning, Amendments to the Land Use Ordinance 2012-02, Chapter 26, Site Development Plan and Amendment to the Land Use Ordinance 2008-04, Chapter 12, Zoning District, to address the language related to the repeal of the Mixed-Use Zone. Bob Nicholson the Town Planner and Commission members discussed the Mixed-Use Ordinance and what some of the advantages and disadvantages are in having a Mixed-Use Zone.

Commissioner Stirling opened the Public Hearing for proposed Ordinance 2016-01, as well as, all that is in 7-a. 2nd by Commissioner Lewis. All voted "Aye". Motion Passed

	Yea	Nay	Abstain	Absent
CHAIRMAN: DARRELL NELSON	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: DANIELLE STIRLING	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: JOHN POAST	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: DANNY SWENSON	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: DARRYL LEWIS	<u> x </u>	<u> </u>	<u> </u>	<u> </u>

Richard Kohler who is working with Alberta Pace indicated Alberta has a piece of property zoned Commercial that she applied for Mixed-Use Zoning located on Majestic Mountain Road. Richard indicated no other zone other than Mixed-Use allow for an Assisted Living or an Art Studio that would have residents living on the top floor as a permitted use and that is what Alberta is planning on building on the property.

Commissioners, Alberta Pace, Bob Nicholson, Angela Rohr, and Richard Kohler discussed it further.

Susan Savage discussed with Bob Nicholson and Commissioners what permitted uses are allowed in the different zones and what uses require a conditional use permit.

Commissioners and Bob Nicholson discussed the Mixed-Use Zoning Ordinance and if it is repealed, amending other Land Use Ordinances to contain some of the permitted uses listed in the Mixed-Use Zoning.

Richard Kohler, Bob Nicholson and Planning Commission discussed the Mixed-Use application that was submitted to the Town by Alberta Pace, the application will be put on hold. Planning Commission will look at amending some of the Land Use Ordinances to contain some of the permitted uses listed in the Mixed-Use Zone.

Chair Nelson made a motion to close the Public Hearing.

Commissioner Lewis, I so move. 2nd by Commissioner Stirling. All voted "Aye". Motion passed.

	Yea	Nay	Abstain	Absent
CHAIRMAN: DARRELL NELSON	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: DANIELLE STIRLING	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: JOHN POAST	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: DANNY SWENSON	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: DARRYL LEWIS	<u> x </u>	<u> </u>	<u> </u>	<u> </u>

8. Action Items:

- a. Proposed Ordinance 2016-01, Repeal of Land Use Ordinance 2011-03, Chapter 23, Mixed-Use Zoning, Amendments to the Land Use Ordinance 2012-02, Chapter 26, Site Development Plan and Amendment to the Land Use Ordinance 2008-04, Chapter 12, Zoning District, to address the language related to the repeal of the Mixed-Use Zone.

Chairman Nelson asked Richard if this satisfies him.

Richard Kohler replied they are fine with leaving it Commercial and not applying for Mixed-Use if some of the uses are accommodated in the Commercial Zone.

Commissioner Stirling, one thing I want to make sure is on the record is there is a tremendous amount of specifications that have to deal with Commercial. I hope you are not expecting to come in and say "we want this, this and this" and in 6 weeks, we will go ahead and put it in the Ordinance because there are quite a few different Ordinances that specifically state setbacks from Residential to Commercial and the height of buildings for Commercial can only be like 35 feet.

Richard Kohler, what we would have been doing in the Mixed-Zone, we can do in Commercial. We have to do the same extra architectural thing in my mind that we would have had to do in the Mixed-Use to get the Commercial plat done. Chapter 26 governs both for the final map. It is just that the uses were enumerated in the one and not the other for us.

Commissioner Stirling made a motion to approve action item a, to repeal the Land Use Ordinance and everything included in 8, action item a. 2nd by Commissioner Lewis.

Commissioner Poast, in Chapter 26 on page 6, I noticed one other small reference to Mixed-Use under 26.4.2.2.

Commissioner Stirling amended the previous motion for proposed Ordinance 2016-01 to include adding any other reference to Mixed-Use Zone would also be deleted. 2nd by Commissioner Lewis. All voted "Aye". Motion passed.

	Yea	Nay	Abstain	Absent
CHAIRMAN: DARRELL NELSON	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: DANIELLE STIRLING	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: JOHN POAST	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: DANNY SWENSON	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: DARRYL LEWIS	<u>x</u>	<u> </u>	<u> </u>	<u> </u>

9. Discussion Items:

10. Staff Reports:

11. Adjournment:

Commissioner Swenson moved to adjourn the meeting. 2nd by Commissioner Poast. All voted "Aye". Motion passed.

	Yea	Nay	Abstain	Absent
CHAIRMAN: DARRELL NELSON	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: DANIELLE STIRLING	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: JOHN POAST	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: DANNY SWENSON	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: DARRYL LEWIS	<u>x</u>	<u> </u>	<u> </u>	<u> </u>

Time: 8:30pm.

APPROVED ON THIS 4 DAY OF May, 2016

Darrell Nelson
Darrell Nelson, Chair

ATTEST:

Kristi Barker
Kristi Barker, Clerk/Recorder
